

APPEAL NO. 021915  
FILED SEPTEMBER 18, 2002

This appeal arises pursuant to the Texas Workers' Compensation Act, TEX. LAB. CODE ANN. § 401.001 *et seq.* (1989 Act). A contested case hearing was held on June 18, 2002. The hearing officer resolved the disputed issues by deciding that the appellant (claimant) did not sustain a compensable injury on \_\_\_\_\_, and thus did not have resultant disability. The claimant appealed on sufficiency grounds, and the respondent (carrier) responded, requesting affirmance.

DECISION

Affirmed.

The hearing officer did not err in determining that the claimant did not sustain a compensable injury to his low back on \_\_\_\_\_. The claimant, who worked as a floorhand at an oil rig, testified that he hurt his low back when he attempted to pick up a large piece of pipe from under the oil rig while at work. The carrier argued that the claimant was not credible and that he had a preexisting back condition that he did not tell the doctors he saw after the alleged date of injury. The hearing officer wrote that he did not find the claimant truthful or credible, particularly with regard to the alleged mechanism of injury and his previous medical treatment for low back pain with radiculopathy.

The hearing officer is the sole judge of the weight and the credibility to be given the evidence. Section 410.165(a). The hearing officer resolved the disputed issues in the carrier's favor. While the claimant argued a different interpretation of the evidence, we conclude that the hearing officer's determinations are supported by the evidence, and that they are not so against the great weight and preponderance of the evidence as to be clearly wrong or manifestly unjust. Cain v. Bain, 709 S.W.2d 175, 176 (Tex. 1986); Texas Workers' Compensation Commission Appeal No. 001360, decided July 27, 2000.

Because we affirm the hearing officer's compensability determination, we likewise affirm his disability determination. As a matter of law, the claimant must have a compensable injury in order to have disability. See Section 401.011(16).

The hearing officer's decision and order are affirmed.

The true corporate name of the insurance carrier is **AMERICAN CASUALTY COMPANY OF READING, PENNSYLVANIA** and the name and address of its registered agent for service of process is

**CT CORPORATION SYSTEM  
350 NORTH ST. PAUL STREET  
DALLAS, TEXAS 75201.**

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Gary L. Kilgore  
Appeals Judge

CONCUR:

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Elaine M. Chaney  
Appeals Judge

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Veronica Lopez  
Appeals Judge